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REMARKS

By the present amendment claims 39 and 57 to 60 have been amended. Claims 1-22, 24, 31, 33, 40-45 and 52-54 were previously cancelled. Claims 23, 25-30, 32, 34-39, 46-51, 55-60 are presently pending in the application; of these, claims 27, 30, 34, 35, 36 and 58 are withdrawn from consideration. Claims 23, 25, 26, 28, 29, 37-39, 46, 48, 50, 51, 55-57, 59 and 60 were previously allowed.

Amendment to Claim 55

Applicants have become aware of a typographical error regarding claim 55. Specifically, a clause was omitted. Claim 55 has been corrected and amended to recite the connection of the driven gear with the drive shaft via a hollow shaft (the missing clause).

Amendments to Correct Claim Dependencies

Claims 57-60 have been amended to correctly depend from claim 56 (as opposed to claim 55). Applicants appreciate the Examiner's diligence in this regard. This was a clerical error.

Claims Withdrawn From Consideration

Claims 27, 30, 34, 35, 36 and 58 are currently withdrawn from consideration as being directed to a non-elected species. Applicants request rejoinder and allowance in view of the fact that claim 23 is generic to all claims now pending in the application. Applicants' detailed reasons follow.

Claim 27

Claim 27 is part of Group A Sub-Species II identified by the Examiner based on the distinction between the embodiment shown in Figures 3 and 4 versus that of Figures 3A and 4A. The genus of Group A was an internal combustion engine. Elected Sub-Species I was a reciprocating piston engine. Unelected Sub-Species II was a rotary pistone engine.

Claim 23 recites merely "an internal combustion engine...", i.e. the genus. Claim 23 is allowed. Claim 27 adds the sole limitation that the engine of claim 23 is "a rotary piston engine", i.e. unelected sub-species II. The generic claim having been allowed, and the claim to the unelected species being in dependent form and

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otherwise compliant with 37 CFR 1.141, the unelected species claim 27 should be rejoined and allowed as well.

Claim 30

Claim 30 was previously indicated to be directed to an unelected species of Group B. However this indication is now understood to be incorrect. Claim 30 is not directed to a Sub-Species of Group B or another other Group identified by the Examiner. Specifically, the Genus of Group B was the coupling of the Driven Gear to the Drive Shaft. Claim 30 is directed to the coupling between the Driving Gear and the Output Shaft. Claim 30 simply adds an additional limitation to claim 23. Claim 30 should be therefore be rejoined as it is unrelated to the previous election of species requirement of the Examiner. It is believed to be patentable.

Claim 34

Claim 34 is part of Group B Sub-Species V identified by the Examiner based on the distinction between the embodiment shown in Figure 5 versus Figure 6 versus Figure 7. The genus of Group B was the releasably coupling of the driving gear to the drive shaft. Elected Sub-Species III was a coupling of the driving gear to the drive shaft via a key. Unelected Sub-Species V was a coupling of the driving gear to the drive shaft via a screw connection.

Claim 23 recites merely "an internal combustion engine..., a driven gear disposed on the drive shaft..., the driven gear being releasably connected to the drive shaft through a connecting element ...", *i.e.* the genus. Claim 23 is allowed. Claim 34 adds the limitation that "the drive shaft comprises a center section rotatably disposed within the housing and two additional shaft sections removably connected at either end of the center section, and wherein wheels are attached to outer ends of the two additional shaft sections", *i.e.* a species of the genus. The generic claim having been allowed, and the claim to the unelected species being in dependent form and otherwise compliant with 37 CFR 1.141, the unelected species claim 34 should be rejoined and allowed as well.

Claim 35

Claim 35 was previously indicated to be directed to an unelected sub-species of Group B. However this indication is now understood to be incorrect. Claim 35 is directed to the elected species of Group B. Specifically, the Genus of Group B was the coupling of the Driven Gear to the Drive Shaft. Elected sub-species V (of Figure

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5) was an embodiment where element connecting the driven gear to the draft was a releasable key. This is as is claimed in claim 35. Rejoinder of claim 35 is therefore appropriate. Claim 35 is believed to be allowable.

Claim 36

Claim 36 is part of Group D Sub-Species IX identified by the Examiner based on the distinction between the embodiment shown in Figures 10 and 11 versus that of Figure 12. The genus of Group D was an internal combustion engine with a two-stage transmission. Elected Sub-Species VIII was a two-stage transmission without an overload coupling. Unelected Sub-Species IX was a two-stage transmission with an overload coupling.

Claim 23 recites merely "an internal combustion engine...", i.e. the genus. Claim 23 is allowed. Claim 36 adds the limitation that the drive assembly of claim 23 further comprises "an overload coupling operatively connecting the output shaft with the driving gear". The generic claim having been allowed, and the claim to the unelected species being in dependent form and otherwise compliant with 37 CFR 1.141, the unelected species claim 36 should be rejoined and allowed as well.

Claim 58

Claim 58 is part of Group B Sub-Species V identified by the Examiner based on the distinction between the embodiment shown in Figure 5 versus Figure 6 versus Figure 7. The genus of Group B was the releasably coupling of the driving gear to the drive shaft. Elected Sub-Species III was a coupling of the driving gear to the drive shaft via a key. Unelected Sub-Species V was a coupling of the driving gear to the drive shaft via a screw connection.

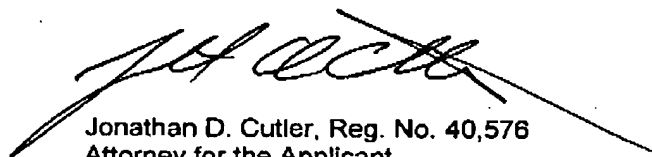
Claim 23 recites merely "an internal combustion engine..., a driven gear disposed on the drive shaft..., the driven gear being releasably connected to the drive shaft through a connecting element ...", i.e. the genus. Claim 23 is allowed. Claim 56 being dependent from claim 23 is allowed as well. Claim 58 being dependent from claim 56 adds the limitation that "the drive shaft comprises a center section rotatably disposed within the housing and two additional shaft sections removably connected at either end of the center section, and the rear wheels being disposed on outer ends of the two additional shaft sections", i.e. the species. The generic claim having been allowed, and the claim to the unelected species being in dependent from and otherwise compliant with 37 CFR 1.141, the unelected species claim 58 should be rejoined and allowed as well.

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Generic claim 23 does not include any element additional to those recited in previously withdrawn claims 27, 30, 34-36 and 58 and comprehends within its confines the embodiments of the invention covered in each of the discussed species. Claim 23 reads on all the disclosed species. Claim 23 clearly also reads on the species of group C, sub-species VI and VII, where different embodiments of the attachment of the drive assembly as claimed in claim 23 (genus) are disclosed. Applicants believe that all these facts are appropriate to indicate that claim 23 is generic to previously withdrawn claims 27, 30, 34-36 and 58. See MPEP 806.04(d).

Applicants believe that all the claims of the application are now in condition for allowance. Should the Examiner believe that any additional modifications are necessary to advance the prosecution of the present application, he is invited to telephone with the undersigned at the number indicated below.

Respectfully submitted,



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